



U.S. District Court

United States District Court
Southern District of New York

USDC SDNY

DOCUMENT

ELECTRONICALLY FILED

DOC #:

DATE FILED: 1/5/2021

The Silvio J. Moliterno
One Saint Andrew Place
New York, New York 10007

January 4, 2021

BY ECF

The Honorable Analisa Torres
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *United States v. Nysheim Spencer et al.*, 20 Cr. 78 (AT)

Dear Judge Torres:

The Government writes to respectfully request that the Court exclude time under the Speedy Trial Act, pursuant to Title 18, United States Code, Section 3161(h)(1)(A), between January 6, 2021 and the date of the next conference, which is yet to be scheduled.

Earlier today, the Court's Chambers advised the parties that, due to scheduling constraints at the MCC and MDC, the Court will need to adjourn the status conferences currently scheduled for January 6, 2021, and that the Court is in the process of scheduling the conferences for either the week of January 11 or the week of January 18. The Government thereafter asked defense counsel for their position on the exclusion of time until the date of the next conference. Counsel for Ms. McLaughlin has not responded to the Government. Counsel for the other defendants do not object.


The Government submits that the ends of justice served by such an exclusion of time under the Speedy Trial Act outweigh the best interests of the public and the defendants in a speedy trial, because such an exclusion will allow time for the defendants and their counsel to continue reviewing the voluminous discovery in this case, to evaluate which motions, if any, are appropriate, and for the parties to continue discussing potential pretrial dispositions. Such an exclusion will also help ensure the effective assistance of counsel and help prevent any possible miscarriage of justice.

Hon. Analisa Torres
January 4, 2021

Page 2

Respectfully submitted,

AUDREY STRAUSS
Acting United States Attorney

By: 
Justin V. Rodriguez
Andrew K. Chan
Assistant United States Attorney
Southern District of New York
(212) 637-2591

cc: Counsel of record (by ECF)

GRANTED. Time until **January 20, 2021**, shall be excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7), because the ends of justice served by excluding such time outweigh the interests of the public and Defendant in a speedy trial in that this will allow for the Defendants to review discovery, evaluate whether to file any motions, and permit the parties to discuss potential pretrial dispositions of the case. The status conference scheduled for **January 6, 2021**, is ADJOURNED to **January 20, 2021**, at **9:00 a.m.**

SO ORDERED.

Dated: January 5, 2021
New York, New York



ANALISA TORRES
United States District Judge